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GREENBERG TRAURIG LLP
2450 COLORADO AVENUE, SUITE 400E
SANTA MONICA, CA 90404

EXAMINER

NGUYEN, KHAI MINH

ART UNIT PAPER NUMBER

2617

DATE MAILED: 10/31/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/618,150

Applicant(s)

SURETTE, CRAIG MICHAEL

Examiner

Khai M. Nguyen

Art Unit

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 August 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-50 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-50 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- 1) ☐ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 8/23/2006 have been fully considered but they are not persuasive.

In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, D'Urso et al. (U.S.Pat-5353335) teaches multilingual prepaid telephone system. The method for establishing the communication is discussed through out the document. Davitt et al. (U.S.Pat-5392343) discusse live language interpretation in telecommunications system. The combination is proper since it would enhance the multilingual prepaid telephone system of D'Urso service and provide Davitt service the ability to use with multilingual prepaid telephone system.

Regarding claims 1-50, Applicant argues, on pages 10-12 of the remarks, that D'Urso and Davitt do not disclose, teach, or suggest "a predetermined amount of live interpretation units."

The Examiner respectfully disagrees with Applicant's argument because D'Urso and Davitt clearly disclose that a predetermined amount (see D'Urso, abstract, a timer is

set with an amount of calling time permitted by the available balance) of live interpretation units (see Davitt, fig.1, language interpretation platform 30, col.3, line 30 to col.4, line 17, connected to one or more live operators who may facilitate the connection of subscriber to an appropriate language interpreter).

Regarding claims 1-50, Applicant argues, on pages 10-12 of the remarks, that D'Urso and Davitt do not disclose, teach, or suggest "no extra telephone numbers need to be used and billing for the service may be accomplished without a need for a credit card or a phone card"

The Examiner respectfully disagrees with Applicant's argument because D'Urso and Davitt clearly disclose that no extra telephone numbers need to be used and billing for the service may be accomplished without a need for a credit card or a phone card (see D'Urso, abstract, the timer runs during the course of the phone call and the call is disconnected when the timer run out, and the user can make additional phone calls using the new available credit balance).

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-50 are rejected under 35 U.S.C. 103(a) as being unpatentable over D'Urso et al. (U.S.Pat-5353335) in view of Davitt et al. (U.S.Pat-5392343).

Regarding claim 1, D'Urso teaches a method of offering a portable language interpretation service to users (fig.1, col.2, line 47 to col.3, line 17, *a card holder dials a specific toll free number, such as an 800 number, to communicate with the system in his or her language of choice*), the method comprising:

offering the user a card to carry (col.2, lines 47-63), the card having a predetermined amount of units of language interpretation service associated with the card in addition to a predetermined amount of telephone service (abstract, fig.1-2, col.2, line 64 to col.3, line 41, *when the card is verified, the available balance is determined, and the user can make additional phone calls using the new available credit balance*), and a telephone number to call printed on the card for said language interpretation services (fig.1-2, col.5, line 53 to col.6, line 9);

providing language interpretation services to the user at the telephone number specified on the card (fig.1-2, col.3, lines 28-41, col.5, line 53 to col.6, line 9); and

deducting units from the card as units are used for the interpretation (abstract, *the timer runs during the course of the phone call and the call is disconnected when the timer runs out*).

D'Urso fails to specifically disclose the card having a live language interpretation service. However, Davitt teaches the card having a live language interpretation service (fig.1, language interpretation platform 30, col.1, lines 27-43, and col.3, line 30 to col.4, line 17). Therefore, it would have been obvious to one having ordinary skill in the art at

the time the invention was made to apply the teaching of Davitt to D'Urso to provide a method for improving the interpretation services.

Regarding claim 2, D'Urso and Davitt further teach the method of claim 1 wherein the card is language specific, and the telephone number printed on the card is specific to a certain language (see D'urso, fig.1-2, col.3, lines 28-41, col.5, line 53 to col.6, line 9).

Regarding claim 3, D'Urso and Davitt further teach the method of claim 1 wherein the telephone number offers a general language interpretation service (see D'urso, fig.2, abstract, col.11, lines 5-36, *an translation service, such as AT&T language line service*), and the user must specify what language is desired once they call (see D'urso, col.5, line 53 to col.6, line 9).

Regarding claim 4, D'Urso and Davitt further teach the method of claim 1 wherein the step of offering the user the card is done by including the card in a commercial package (see D'urso, abstract, col.3, lines 28-41).

Regarding claim 5, D'Urso teaches a method of offering an assurance packages (col.2, lines 47-63), wherein the package comprises:

a travel ticket (fig.2, col.2, lines 47-63, *The card holder will be able to use the card as a payment vehicle to make any kind of telephone call handled by the services provider, such as interlata, intralata, and international telephone calls*);

travel insurance (fig.2, col.2, lines 47-63, *The card holder will be able to use the card as a payment vehicle to make any kind of telephone call handled by the services provider, such as interlata, intralata, and international telephone calls*); and

pre-paid interpretation services through to a "calling" card medium (abstract, fig.2, col.2, lines 47-63, *The card holder will be able to use the card as a payment vehicle to make any kind of telephone call handled by the services provider, such as interlata, intralata, and international telephone calls*, see Davitt, col.1, lines 27-43).

D'Urso fails to specifically disclose live interpretation services. However, Davitt teaches live interpretation services (fig.1, language interpretation platform 30, col.1, lines 27-43, and col.3, line 30 to col.4, line 17). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to apply the teaching of Davitt to D'Urso to provide a method for improving the interpretation services.

Regarding claim 6, D'Urso and Davitt further teach the method of claim 5 wherein the pre-paid interpretation service is in a language appropriate for the traveler's destination (see D'urso, col.1, lines 15-22).

Regarding claim 7, D'Urso and Davitt further teach the method of claim 5 wherein the assurance package is offered prior to departure of a user (see D'urso, abstract, fig.2, col.2, lines 47-63, *The card holder will be able to use the card as a payment vehicle to make any kind of telephone call handled by the services provider, such as interlata, intralata, and international telephone calls*).

Regarding claim 8, D'Urso and Davitt further teach the method of claims 5, further comprising:

accident insurance (see D'urso, abstract, fig.2, col.2, lines 47-63, *The card holder will be able to use the card as a payment vehicle to make any kind of telephone call handled by the services provider, such as interlata, intralata, and international telephone calls*) ;

car rental (see D'urso, abstract, fig.2, col.2, lines 47-63, *The card holder will be able to use the card as a payment vehicle to make any kind of telephone call handled by the services provider, such as interlata, intralata, and international telephone calls*); and

accommodations (see D'urso, abstract, fig.2, col.2, lines 47-63, *The card holder will be able to use the card as a payment vehicle to make any kind of telephone call handled by the services provider, such as interlata, intralata, and international telephone calls*) .

Regarding claim 9, Du'Urso teaches a method of offering a portable language interpretation service to users (fig.1, col.2, line 47 to col.3, line 17, *a card holder dials a specific toll free number, such as an 800 number, to communicate with the system in his or her language of choice*), the method comprising:

deducting units of measure from the telephone as used for the interpretation (abstract, *the timer runs during the course of the phone call and the call is disconnected when the timer runs out*).

D'Urso fails to specifically disclose the user use a mobile telephone, the mobile telephone having a predetermine number of unit of live language interpretation service associated with it, a telephone number to call for accessing the telephone to the live language interpretation service, and providing live language interpretation services to the user as programmed into the telephone. However, Davitt teaches the user use a mobile telephone (fig.1), the mobile telephone having a predetermine number of unit live language interpretation service associated with it (fig.1, language interpretation platform 30, col.1, lines 27-43, and col.3, line 30 to col.4, line 17, and col.4, line 18 to col.5, line 16), a telephone number to call for accessing the telephone to the live language interpretation service (fig.1, language interpretation platform 30, col.1, lines 27-43, and col.3, line 30 to col.4, line 17, and col.4, line 18 to col.5, line 16, *subscribers may initiate calls involving language interpretation from their directory number from other predefined telephone numbers*), and providing live language interpretation services to the user as programmed into the telephone (fig.1, language interpretation platform 30, col.1, lines 27-43, and col.3, line 30 to col.4, line 17). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to apply the teaching of Davitt to D'Urso to provide a method for improving the interpretation services.

Regarding claim 10, D'Urso and Davitt further teach the method of claim 9 wherein the telephone number to call is programmed into the phone and accessed by pressing a single button on the mobile phone (see D'urso, col.11, lines 5-36, *the speed dialing alias may be one or more digits entered on a Touch Tone TM telephone*

prefaced by pressing a special key such as the asterisk () key found on those telephones).*

Regarding claim 11, D'Urso and Davitt further teach the method as claimed in claim 1 wherein the card is rechargeable to provide additional minutes for at least one of the language interpretation service or the telephone time (see D'urso, abstract).

Regarding claim 12, D'Urso and Davitt further teach the method as claimed in claim 9 wherein the telephone is rechargeable to provide additional minutes for at least one of the language interpretation service or the telephone time (see D'urso, abstract)

Regarding claim 13, D'Urso and Davitt further teach the method as claimed in claim 1 wherein the language interpretation service access expires after a predetermined time from an initial activation (see D'urso, col.12, line 43 to col.13, line 2)

Regarding claim 14, D'Urso and Davitt further teach the method as claimed in claim 9 wherein the language interpretation service access expires after a predetermined time from an initial activation (see D'urso, col.12, line 43 to col.13, line 2)

Regarding claim 15, D'Urso further teaches a method of offering pre-paid language interpretation service to users in combination with telephone time (fig.1, coll.2, lines 7-19, col.2, line 47 to col.3, line 17, *a card holder dials a specific toll free number, such as an 800 number, to communicate with the system in his or her language of choice*), the method comprising:

offering the user a card to carry with them (col.2, lines 47-63), the card having a predetermined number of minutes of language interpretation service associated with it in addition to a number of minutes of telephone time (abstract, fig.1-2, col.2, line 64 to col.3, line 41, *when the card is verified, the available balance is determined, and the user can make additional phone calls using the new available credit balance*), and a telephone number to call printed on the card for said language interpretation services (fig.2, col.2, lines 21-35, col.3, lines 27-41);

providing language interpretation services to the user at the telephone number specified on the card (fig.1-2, col.3, lines 28-41, col.5, line 53 to col.6, line 9); and

deducting minutes or other unit of measure from the card as used for at least one of the interpretation time or telephone time (abstract, *the timer runs during the course of the phone call and the call is disconnected when the timer runs out*).

D'Urso fails to specifically disclose the card having a live language interpretation service. However, Davitt teaches the card having a live language interpretation service (fig.1, language interpretation platform 30, col.1, lines 27-43, and col.3, line 30 to col.4, line 17). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to apply the teaching of Davitt to D'Urso to provide a method for improving the interpretation services.

Regarding claim 16, D'Urso and Davitt further teach the method of claim 15 wherein the card is language specific, and the telephone number printed on the card is

specific to a certain language (see D'urso, fig.1-2, col.3, lines 28-41, col.5, line 53 to col.6, line 9).

Regarding claim 17, D'Urso and Davitt further teach the method of claim 15 wherein the telephone number offers a general language interpretation service (see D'urso, fig.2, abstract, col.11, lines 5-36, *an translation service, such as AT&T language line service*), and the user must specify what language is desired once they call (see D'urso, col.5, line 53 to col.6, line 9).

Regarding claim 18, D'Urso and Davitt further teach the method of claim 15 wherein the step of offering the traveler the card is done by including the card in a travel package (see D'urso, abstract, col.3, lines 28-41).

Regarding claim 19, D'Urso teaches a method of offering portable language interpretation service to users (fig.1, col.2, line 47 to col.3, line 17, *a card holder dials a specific toll free number, such as an 800 number, to communicate with the system in his or her language of choice*), the method comprising:

having the user access a telephone (abstract, col.2, lines 47-63), the telephone having a predetermined number of minutes of language interpretation service associated with it in addition to a number of minutes of telephone time (abstract, fig.1-2, col.2, line 64 to col.3, line 41, *when the card is verified, the available balance is determined, and the user can make additional phone calls using the new available credit balance*), and a telephone number to call programmed into the telephone for said language interpretation services (fig.2, col.2, lines 21-35, col.3, lines 27-41);

deducting minutes or other unit of measure from the telephone as used for at least one of the interpretation or telephone time (abstract, *the timer runs during the course of the phone call and the call is disconnected when the timer runs out*).

D'Urso fails to specifically disclose providing live language interpretation services to the user as programmed into the telephone. However, Davitt teaches providing language interpretation services to the user as programmed into the telephone (fig.1, language interpretation platform 30, col.1, lines 27-43, and col.3, line 30 to col.4, line 17). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to apply the teaching of Davitt to D'Urso to provide a method for improving the interpretation services.

Regarding claim 20, D'Urso and Davitt further teach the method of claim 19 wherein the telephone number to call is programmed into the phone and accessed by pressing a single button on the mobile phone (see D'urso, col.11, lines 5-36, *the speed dialing alias may be one or more digits entered on a Touch Tone TM telephone prefaced by pressing a special key such as the asterisk (*) key found on those telephones*).

Regarding claim 21, D'Urso and Davitt further teach the method as claimed in claim 15 wherein the card is rechargeable to provide additional minutes for at least one of the language interpretation service or the telephone time (see D'urso, abstract).

Regarding claim 22, D'Urso and Davitt further teach the method as claimed in claim 19 wherein the telephone is rechargeable to provide additional minutes for at least one of the language interpretation service or the telephone time (see D'urso, abstract).

Regarding claim 23, D'Urso and Davitt further teach the method as claimed in claim 15 wherein the language interpretation service access expires after a predetermined time from an initial activation (see D'urso, col.12, line 43 to col.13, line 2)

Regarding claim 24, D'Urso and Davitt further teach the method as claimed in claim 19 wherein the language interpretation service access expires after a predetermined time from an initial activation (see D'urso, col.12, line 43 to col.13, line 2)

Regarding claim 25, D'Urso teaches a method of providing on demand portable language interpretation service (fig.1, col.2, line 47 to col.3, line 17, *a card holder dials a specific toll free number, such as an 800 number, to communicate with the system in his or her language of choice*) comprising:

providing a user with access data (col.2, lines 7-35), the data having a predetermined number of units of language interpretation service associated with it (fig.1-2, col.5, line 53 to col.6, line 9), and a telephone number to call for said language interpretation services (fig.1-2, col.5, line 53 to col.6, line 9);

the user calling the telephone number(fig.1-2, col.5, line 53 to col.6, line 9) ;

accessing the interpretation units available to the user associated with that data(fig.1-2, col.5, line 53 to col.6, line 9), and if there is a sufficient amount of

interpretation time available (fig.1-2, col.2, line 64 to col.3, line 41, *when the card is verified, the available balance is determined, and the desired call is completed, if there is a sufficient credit balance, If there is an insufficient credit balance, an appropriate announcement is played in the selected language and the caller is disconnected*);

assessing units of measure from the data as interpretation units is used (abstract, *the timer runs during the course of the phone call and the call is disconnected when the timer runs out*).

D'Urso fails to specifically disclose the card having a language interpretation service, and connecting the user to a live interpreter to provide essentially instantaneous interpretation services. However, Davitt teaches the card having a live language interpretation service (fig.1, language interpretation platform 30, col.1, lines 27-43, and col.3, line 30 to col.4, line 17), and connecting the user to a live interpreter to provide essentially instantaneous interpretation services (fig.1, language interpretation platform 30, col.1, lines 27-43, and col.3, line 30 to col.4, line 17). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to apply the teaching of Davitt to D'Urso to provide a method for improving the interpretation services.

Regarding claim 26, D'Urso and Davitt further teach the method of claim 25 wherein the data is language specific, and the related telephone number is specific to a certain language (see D'urso, fig.1-2, col.3, lines 28-41, col.5, line 53 to col.6, line 9).

Regarding claim 27, D'Urso and Davitt further teach the method of claim 25 wherein the telephone number offers a general language interpretation service (see D'urso, fig.2, abstract, col.11, lines 5-36, *an translation service, such as AT&T language line service*), and the user must specify what language is desired once they call (see D'urso, col.5, line 53 to col.6, line 9).

Regarding claim 28, D'Urso and Davitt further teach the method as claimed in claim 25 wherein the data is contained on a card or in a mobile phone (see D'urso, col.7, line 46 to col.8, line 8).

Regarding claim 29, D'Urso and Davitt further teach the method as claimed in claim 25 wherein the card is rechargeable to provide additional units for at least one of the language interpretation service or the telephone time (see D'urso, abstract).

Regarding claim 30, D'Urso and Davitt further teach the method as claimed in claim 28 wherein the telephone is rechargeable to provide additional minutes for at least one of the language interpretation service or the telephone time (see D'urso, abstract).

Regarding claim 31, D'Urso and Davitt further teach the method as claimed in claim 35 wherein the language interpretation service access expires after a predetermined time from an initial activation (see D'urso, col.12, line 43 to col.13, line 2)

Regarding claim 32, D'Urso teaches a medium for offering portable language interpretation service to users in combination with telephone time (fig.1, abstract, col.2, line 47 to col.3, line 17, *a card holder dials a specific toll free number, such as an 800*

number, to communicate with the system in his or her language of choice), the medium comprising:

a card for a user to carry with them (col.2, lines 47-63), the card having data relating to predetermined a number of units of language interpretation service associated with it in addition to a number of units of telephone service (abstract, fig.1-2, col.2, line 64 to col.3, line 41, *when the card is verified, the available balance is determined, and the user can make additional phone calls using the new available credit balance*), and a telephone number to call printed on the card for said language interpretation services (fig.1-2, col.5, line 53 to col.6, line 9);

the card having data for providing access to language interpretation services to the user at the telephone number specified on the card (fig.1-2, col.3, lines 28-41, col.5, line 53 to col.6, line 9); and

a computerized system for permitting a relationship with the card data for assessing minutes or other unit of measure from data related to the card as units are used for at least one of the interpretation or telephone service (fig.1-2, col.2, line 64 to col.3, line 41, col.7, line 46 to col.8, line 8, *when the card is verified, the available balance is determined, and the desired call is completed, if there is a sufficient credit balance, if there is an insufficient credit balance, an appropriate announcement is played in the selected language and the caller is disconnected*).

D'Urso fails to specifically disclose the card having a live language interpretation service. However, Davitt teaches the card having a live language interpretation service

(fig.1, language interpretation platform 30, col.1, lines 27-43, and col.3, line 30 to col.4, line 17). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to apply the teaching of Davitt to D'Urso to provide a method for improving the interpretation services.

Regarding claim 33, D'Urso and Davitt further teach the medium of claim 32 wherein the card is language specific, and the telephone number printed on the card is specific to a certain language (see D'urso, fig.1-2, col.3, lines 28-41, col.5, line 53 to col.6, line 9).

Regarding claim 34, D'Urso and Davitt further teach the medium of claim 32 wherein the telephone number offers a general language interpretation service (see D'urso, fig.2, abstract, col.11, lines 5-36, *an translation service, such as AT&T language line service*), and the user must specify what language is desired once they call (see D'urso, col.5, line 53 to col.6, line 9).

Regarding claim 35, D'Urso teaches a mobile telephone for offering portable language interpretation service to users (fig.1, abstract, col.2, line 47 to col.3, line 17, *a card holder dials a specific toll free number, such as an 800 number, to communicate with the system in his or her language of choice*), comprising:

a predetermine number of units of language interpretation service associated with the telephone in addition to a number of units of telephone time (abstract, fig.1-2, col.2, line 64 to col.3, line 41, *when the card is verified, the available balance is determined, and the user can make additional phone calls using the new available*

credit balance), and program with the phone directing the phone to call a telephone number for said language interpretation services (fig.2, col.2, lines 21-35, col.3, lines 27-41);

a computerized system for permitting a relationship with the phone for accessing minutes or other unit of measure from data related to the phone as units are used for at least one of the interpretation or telephone service (fig.1-2, col.2, line 64 to col.3, line 41, col.7, line 46 to col.8, line 8, *when the card is verified, the available balance is determined, and the desired call is completed, if there is a sufficient credit balance, if there is an insufficient credit balance, an appropriate announcement is played in the selected language and the caller is disconnected*).

D'Urso fails to specifically disclose a number of units of live language interpretation service. However, Davitt teaches a number of units of live language interpretation service (fig.1, language interpretation platform 30, col.1, lines 27-43, and col.3, line 30 to col.4, line 17). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to apply the teaching of Davitt to D'Urso to provide a method for improving the interpretation services.

Regarding claim 36, D'Urso and Davitt further teach the telephone as claimed in claim 35 wherein the telephone number to call is programmed into the phone and accessed by pressing a single button on the mobile phone (see D'urso, col.11, lines 5-36, *the speed dialing alias may be one or more digits entered on a Touch Tone TM*

telephone prefaced by pressing a special key such as the asterisk () key found on those telephones).*

Regarding claim 37, D'Urso and Davitt further teach the telephone as claimed in claim 35 wherein the telephone is enabled to conduct telephoning to numbers unrelated to the interpretation service (see D'urso, fig.2, abstract, col.3, lines 28-41).

Regarding claim 38, D'Urso teaches a method of offering a portable language interpretation service to users (fig.1, abstract, col.2, line 47 to col.3, line 17, *a card holder dials a specific toll free number, such as an 800 number, to communicate with the system in his or her language of choice*), the method comprising:

offering the user a card to carry with them (col.2, lines 47-63), the card having access to a predetermined number of units of language interpretation service, and a telephone number to call on the card for said language interpretation services (fig.1-2, col.3, lines 28-41, col.5, line 53 to col.6, line 9);

providing language interpretation services to the user at the telephone number specified on the card (fig.1-2, col.3, lines 28-41, col.5, line 53 to col.6, line 9); and

accessing units in relation to the card as units are used for the interpretation (fig.2, col.5, line 53 to col.6, line 9).

D'Urso fails to specifically disclose a live language interpretation service. However, Davitt teaches a number of units of live language interpretation service (fig.1, language interpretation platform 30, col.1, lines 27-43, and col.3, line 30 to col.4, line

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17). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to apply the teaching of Davitt to D'Urso to provide a method for improving the interpretation services.

Regarding claim 39, D'Urso and Davitt further teach a method as claimed in claim 38

the user is provided with a prepaid calling card to effect payment for the units to the language interpretation service (see D'urso, abstract)

Regarding claim 40, D'Urso and Davitt further teach a method as claimed in claim 38

the user is provided with a debit card to effect payment for the units to the language interpretation service (see Davitt, col.1, line 54 to col.2, line 6).

Regarding claim 41, D'Urso and Davitt further teach a method as claimed in claim 38

the user is provided with a credit card to effect payment for the units to the language interpretation service (see Davitt, col.1, line 54 to col.2, line 6).

Regarding claim 42, D'Urso teaches a method of offering a portable language interpretation service to users (fig.1, col.2, line 47 to col.3, line 17, *a card holder dials a specific toll free number, such as an 800 number, to communicate with the system in his or her language of choice*), the method comprising:

providing language interpretation services to the user (fig.2, col.2, lines 21-35, col.3, lines 27-41); and

accessing predetermine units of measure of the language interpretation service as used for the interpretation (col.7, line 46 to col.8, line 8).

D'Urso fails to specifically disclose the user use a telephone, the telephone having access to a live language interpretation service associated with the card, and a telephone number to call for accessing the telephone to the live language interpretation service. However, Davitt teaches the user use a telephone (fig.1), the telephone having access to a live language interpretation service associated with it (fig.1, language interpretation platform 30, col.1, lines 27-43, and col.3, line 30 to col.4, line 17), and a telephone number to call for accessing the telephone to the live language interpretation service (fig.1, language interpretation platform 30, col.1, lines 27-43, and col.3, line 30 to col.4, line 17, *subscribers may initiate calls involving language interpretation from their directory number from other predefined telephone numbers*). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to apply the teaching of Davitt to D'Urso to provide a method for improving the interpretation services.

Regarding claim 43, D'Urso teaches a medium for offering portable language interpretation service to users (fig.1, abstract, col.2, line 47 to col.3, line 17, *a card holder dials a specific toll free number, such as an 800 number, to communicate with the system in his or her language of choice*), the medium comprising:

a card for a user (col.2, lines 47-63), the card having data relating to a predetermined number of units of language interpretation service associated with it (fig.1-2, col.3, lines 28-41, col.5, line 53 to col.6, line 9), and a telephone number to call on the card for said language interpretation services (fig.1-2, col.3, lines 28-41, col.5, line 53 to col.6, line 9);

the card having data for providing access to language interpretation services to the user at the telephone number specified on the card (fig.1-2, col.3, lines 28-41, col.5, line 53 to col.6, line 9); and

a computerized system for permitting a relationship with the card data for assessing minutes or other unit of measure from data related to the card as units are used for the interpretation service (fig.1-2, col.2, line 64 to col.3, line 41, col.7, line 46 to col.8, line 8, *when the card is verified, the available balance is determined, and the desired call is completed, if there is a sufficient credit balance, If there is an insufficient credit balance, an appropriate announcement is played in the selected language and the caller is disconnected*).

D'Urso fails to specifically disclose a number of units of live language interpretation service. However, Davitt teaches a number of units of live language interpretation service (fig.1, language interpretation platform 30, col.1, lines 27-43, and col.3, line 30 to col.4, line 17). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to apply the teaching of Davitt to D'Urso to provide a method for improving the interpretation services.

Regarding claim 44, D'Urso teaches a method of offering a portable language interpretation service to users (fig.1, abstract, col.2, line 47 to col.3, line 17, *a card holder dials a specific toll free number, such as an 800 number, to communicate with the system in his or her language of choice*), the method comprising:

a predetermined number to call for said language interpretation services (fig.1-2, col.3, lines 28-41, col.5, line 53 to col.6, line 9);

providing language interpretation services to the user at the predetermined number (fig.1-2, col.3, lines 28-41, col.5, line 53 to col.6, line 9); and

accessing units for charging in relation to units are used for the interpretation (fig.2, col.5, line 53 to col.6, line 9).

D'Urso fails to specifically disclose offering the user a through a telephone company access to predetermined units of live language interpretation service. However, Davitt teaches offering the user a through a telephone company access to predetermined units of live language interpretation service (fig.1, language interpretation platform 30, col.1, lines 27-43, and col.3, line 30 to col.4, line 17). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to apply the teaching of Davitt to D'Urso to provide a method for improving the interpretation services.

Regarding claim 45-47, D'Urso and Davitt further teach a method as claimed in claim 44

the telephone company is mobile telephone company (see Davitt, col.1, lines 27-43), and the user accessed the telephone company through a mobile telephone (see Davitt, col.3, line 66 to col.4, line 17), provided with one of a prepaid calling card, a debit card or a credit card to effect payment for the units to the language interpretation service (see Davitt, col.1, line 54 to col.2, line 6), and charged on account to a predetermined subscribers telephone account to effect payment for the units to the language interpretation service (see Davitt, col.5, line 54 to col.6, line 6).

Regarding claim 48, D'Urso and Davitt further teach a method as claimed in claim 47 wherein the account is for use of a mobile telephone (see D'Urso, col.1, lines 16-27), and the company is a mobile telephone company (see D'Urso, abstract).

Regarding claim 49, D'Usro teaches a method of offering a portable language interpretation service to users (fig.1, abstract, col.2, line 47 to col.3, line 17, *a card holder dials a specific toll free number, such as an 800 number, to communicate with the system in his or her language of choice*), the method comprising:

providing language interpretation services to the user (fig.1-2, col.3, lines 28-41, col.5, line 53 to col.6, line 9); and

accessing predetermine units of measure of the language interpretation service as used for the interpretation (fig.2, col.5, line 53 to col.6, line 9).

D'Urso fails to specifically disclose the user use a telephone, the telephone having access to a live language interpretation service associated with it, and a telephone number to call for accessing the telephone to the live language interpretation

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service. However, Davitt teaches the user use a telephone (fig.1), the telephone having access to a live language interpretation service associated with it (fig.1, language interpretation platform 30, col.1, lines 27-43, and col.3, line 30 to col.4, line 17), and a telephone number to call for accessing the telephone to the live language interpretation service (fig.1, language interpretation platform 30, col.1, lines 27-43, and col.3, line 30 to col.4, line 17, *subscribers may initiate calls involving language interpretation from their directory number from other predefined telephone numbers*). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to apply the teaching of Davitt to D'Urso to provide a method for improving the interpretation services.

Regarding claim 50, D'Usro teaches a medium for offering portable language interpretation service to users (fig.1, abstract, col.2, line 47 to col.3, line 17, *a card holder dials a specific toll free number, such as an 800 number, to communicate with the system in his or her language of choice*), the medium comprising:

a card for a user (col.2, lines 47-63), the card having data relating to a number of predetermined units of language interpretation service associated with it, and a telephone number to call on the card for said language interpretation services (fig.1-2, col.3, lines 28-41, col.5, line 53 to col.6, line 9);

the card having data for providing access to language interpretation services to the user at the telephone number specified on the card (fig.1-2, col.3, lines 28-41, col.5, line 53 to col.6, line 9); and

a computerized system for permitting a relationship with the card data for assessing minutes or other unit of measure from data related to the card as units are used for the interpretation service(fig.1-2, col.2, line 64 to col.3, line 41, col.7, line 46 to col.8, line 8, *when the card is verified, the available balance is determined, and the desired call is completed, if there is a sufficient credit balance, If there is an insufficient credit balance, an appropriate announcement is played in the selected language and the caller is disconnected*).

D'Urso fails to specifically disclose a number of units of live language interpretation service. However, Davitt teaches a number of units of live language interpretation service (fig.1, language interpretation platform 30, col.1, lines 27-43, and col.3, line 30 to col.4, line 17). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to apply the teaching of Davitt to D'Urso to provide a method for improving the interpretation services.

Conclusion

3. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khai M. Nguyen whose telephone number is 571.272.7923. The examiner can normally be reached on 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, George Eng can be reached on 571.272.7495. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Khai Nguyen
Au: 2617

10/24/2006


GEORGE ENG
SUPERVISORY PATENT EXAMINER